

REMARKS

Status of the Claims

Claims 36-39, 41-42, 45-47, 49-50 and 53-55 are presented. Claims 37 and 47 are amended. These amendments are supported throughout the application as filed. Claims 36, 38-42, 45 and 54 are cancelled without prejudice to pursuing claims of the same or similar scope in a continuation or divisional application. No new claims are added.

Claims 37, 46-50, 53 and 55 are presented for examination.

No new matter has been introduced.

Summary of the Invention as Claimed

The subject matter as now claimed is directed to a process for treating textile fibers, consisting of (1) mild washing of the fibers at a temperature of less than or equal to about 40°C, with an aqueous composition comprising (a) a compound of formula (II), (b) at least one member selected from the group consisting of textile fiber cleaning surfactants and textile fiber softening agents, and (c) water; and (2) drying, wherein the treated fibers exhibit reduced pilling (claim 37). The textile fibers comprise wool and/or cotton fibers (claim 55).

Rejections under 35 U.S.C. § 103(a)

Previously pending claims 36-39, 41-42, 45-47, 49-50 and 53-55 were rejected as being obvious over Benisek, at al. (US 4,448,817, "Benisek"). Applicants respectfully traverse this rejection.

Benisek discloses a method of textile finishing of keratinous articles, comprising: (a) treating the articles with a mixture of an anti-felt polymer and a polymer of chlorinated ethylenically unsaturated monomer; (b) drying and curing; and (c) treating with an anionic titanium or zirconium complex at low pH (claim 1). Importantly,

Benisek teaches that the polymers of the invention are “curable” (see, for example, col. 1, lines 56 – 58) and that the treatment of the fibers requires curing at relatively high temperatures, for example, 140 - 150°C (see all of the Examples). The textile treatment provides shrink-resistance and flame-retardancy. Benisek does not disclose or suggest reduced pilling from his treatment.

Even though applicants do not necessarily agree with the Examiner’s arguments/characterizations of Benisek, in order to further prosecution, the claims have been amended in a way which overcomes the Examiner’s rejections as described herein below.

Claim 37 as presently amended claims a process consisting of mild washing at less than or equal to about 40°C, followed by drying, which is dramatically different from Benisek’s process including curing at high temperature (140-150°C). The “consisting of” language limits the process steps to the disclosed mild washing and drying, thereby precluding a curing step such as that of Benisek. In addition, Benisek requires both an anti-felt polymer, such as bunte salts, in addition to a chlorinated polymer to achieve his effects of shrink-resistance and flame-retardancy. No such chlorinated polymer is required by applicants for their reduced pilling effect.

The skilled artisan reading Benisek would understand that both anti-felt polymers and chlorinated polymers are required in the textile treatment, followed by a curing step at high temperature in order to achieve shrink resistance and flame retardancy. No reduced pilling effect of such a treatment is disclosed, either directly or impliedly. Thus, the cited art does not teach, motivate or suggest to one skilled in the art at the time of the invention, applicants’ claimed mild process as presently amended.

Conclusion

In summary, in view of the present claim amendments and remarks, applicants believe that the pending claims as amended are in condition for allowance. The Examiner is respectfully requested to reconsider, withdraw the rejections and allow the claims.

If any additional fees are required in support of this application, authorization is granted to charge our Deposit Account No. 50-1943.

Respectfully submitted,

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